

#### **Development Services**

1775 – 12<sup>th</sup> Ave. NW | P.O. Box 1307 Issaquah, WA 98027 425-837-3100 *issaquahwa.gov* 

#### **Notice of Decision**

**FILE NO.:** 

Administrative Adjustment of Height Standards,

AAS16-00008

PROJECT NAME:

Sunset 7 Apartments

**APPLICANT:** 

Richard Gulstrom

GMS Architectural Group I1804 136<sup>th</sup> Place. NE, Suite 1

PROPERTY OWNER:

DJ Loveridge Thick Brick LLC 19538 SE 51ST St.

Issaquah, WA 98027

DATE OF DECISION:

June 15, 2016

REQUEST:

Administrative Adjustement to the Height Standards to increase the height of the building from the base height of 40 feet to 45'-

10".

LOCATION:

355 E. Sunset Way, See Attachment A, Vicinity Map.

800

SUBAREA:

East Sunset Way Development Area in Olde Town

**COMPREHENSIVE** 

**PLAN DESIGNATION:** 

The site is designated Multi-family Residential by the Issaquah Comprehensive Plan, adopted in 2005 and as amended in 2014.

**EXISTING ZONING:** 

MF-H, Multi-family, High density. It is also a receiving site for

Transfer Development Rights

PARCEL NUMBER:

3424069096

SITE AREA:

13,200 sq. ft.

**PUBLIC NOTIFICATION:** A Notice of Application for this Administrative Adjustment of Height Standards was mailed to property owners within 300 feet of the subject property on April 11, 2016. The IMC provides for a 14-day Comment Period, which ended on April 25, 2016. Two property owners provided comments (see Attachment D for Public Comments). The Notice of Application was also sent to the parties of record, and posted on the city's website.

**DECISION MADE:** The Development Services Department approves the application for Administrative Adjustment of Height Standards, Application No. AAS16-00008, with condition. Approval of the application is based on the application materials for the associated Site Development Permit, SDP16-00004, on March 24, 2016.

APPEAL OF DECISION: This decision can be appealed. Appeals of this decision shall follow the procedures set forth in IMC 18.04.250 (Administrative appeals) of the Land Use Code (as stated by Chapter 3.14 of the Central Issaquah Development and Design Standards), and shall be heard by the City's Hearing Examiner. A letter of appeal shall include the reason for the appeal and a \$518.26 filing fee, which is required of appeals. All appeals shall be filed with the City Permit Center by 5:00 PM on June 28, 2016.

#### ATTACHMENT LIST:

Attachment A: Vicinity Map

Attachment B: Site Plan and Elevations

Attachment C: Applicant's Project Narrative

Attachment D: Public Comments

Attachment E: Comparative Sun and Shadow Analysis

#### FINDINGS OF FACT AND STAFF ANALYSES:

#### 1. EXISTING LAND USE:

Subject Property: Single-family.

North: Office

South: Single family residential East: Single family residential

West: Fourplex (2 duplex buildings)

2. **EXISTING CONDITIONS:** The project site is on Sunset Way, one of the main arterial from the I-90 freeway to downtown Issaquah. A one-story single-family structure currently sits on the site. A chain link fence provides enclosure of the property frontage along Sunset Way. The site has no critical areas. Approximately two thirds of the site is pervious and two small trees are visible in the front yard. A carport in the rear of the house is accessed off of an existing alley; however, there is no paved driveway.

IMC 18.07.300.A. Purpose of Administrative Adjustment of Height Standards:

- Enhance the architectural design by a)modulating the roof of the structure through varied heights or pitches, or b) allowing parapets, gables, bell/clock towers or other features
- Encourage "underbuilding" parking
- Allow floodwaters to flow beneath the structure in conformance with City and other environmental regulations
- An Administrative Adjustment of Standards requires a Level 2 Review (Chapter 18.04 IMC)
  regardless of street frontage or parcel size, with public notification to adjacent property
  owners.
- 4. 18.09.060 (B), Process: The Development Services Director/Manager has the authority to make the final decision regarding Administrative Adjustment of Standards for all levels of review. The Director/Manager shall consider the application information regarding the approval criteria which has been provided by the applicant and any public comment received within the comment period. The DSD Director/Manager may request input from the Chair of the Development Commission during the comment period; however, this is not required. The Director/Manager's decision on the Administrative Adjustment of Standards is final unless appealed.
- 5. An adjustment to the building height may be approved based on a determination by the Development Services Director/Manager that the adjustment is consistent with the purpose stated above, the maximum height allowed for the zoning district, as prescribed in IMC18.07.360, and the criteria set forth in IMC 18.07.355 (A). The Director/Manager's decision on Administrative Adjustment of Standards is appealable as established for Level 2 Review (Chapter 18.04 IMC).

#### 6. IMC 18.07.355 (A): Approval Criteria

- Building Design:
  - a. The adjustment of height will enhance the architectural design by:
    - (1) Modulating the roof of the structure through varied heights or pitches,
    - (2) The use of varied exterior materials, or
    - (3) Allowing parapets, gables, bell/clock towers or other features; and

<u>Staff Analysis</u>: The roof is broken up into smaller pitched roofs at various heights. The East and West Elevations show the cascading roof form. The most critical side of the building is the rear, given the single-family zoning across the alley from the project site. This side of the building is well modulated, as shown in Figure 1A and Figure 1B, East Elevation. The Fig. 1B, East Elevation, shows the relationship of the heights for this property and the adjacent properties. The maximum height allowed for adjacent properties is depicted as "boxes" on the drawing. The elevations also show the variety of building materials, including the board and batten and horizontal lap siding that

constitute the exterior siding, and the masonry base. Additional details, such as balcony railings, decorative roof trusses, and decorative metal grills for the garage are used to further articulate the building to address the human scale. Figure 2 shows the view of the building from the single-family properties across the alley. The tallest roofs are significantly set back and will not be visible from the alley because the lower levels wrap around the tallest section of the building. While the height of the elevator and stair tower exceeds the maximum height allowed, this is exempt from the height limit per IMC18.07.060.B.4 (g) and (h). The elevator and stair tower should be further refined to architecturally integrate with the rest of the building.

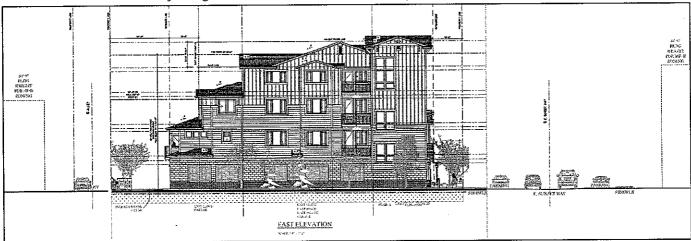


Fig. 1. East Elevation showing relation of building heights from the less intense single-family use across the alley (left) and the proposed multi-family building.



Fig. 2. Perspective view of proposed building from the alley

b. The gross floor area for each story above the base height is reduced by twenty-five (25) percent of the gross floor area of the story beneath it; or the percentage of pervious surface for the site is increased by ten (10) percent over the minimum for

that zone; for example, a forty (40) percent pervious surface ratio for a site shall be increased to fifty (50) percent as a condition of approval for additional height;

<u>Staff Analysis</u>: The calculation demonstrating compliance with this criterion is on sheet A3.2 of the plans. The applicant chose to reduce the gross floor area of the third floor, which exceeds the base height. The third floor has a floor area of 3251 s.f. The second floor has a floor area of 4339 s.f. A quarter of 4334 s.f. is 1083.5 s.f. 4334 – 1083.5 = 3254 s.f.. The third floor area is slightly below the maximum 3250 s.f. allowed.

c. Design features, such as transparent windows and doors, artwork, fountains, street furniture, varied exterior materials, and/or landscape elements or plazas are used to give the ground floor of the building a pedestrian scale;

Staff Analysis: Transparent windows and doors are provided for the small lobby, approximately 16 feet wide. A variety of materials are proposed on the ground floor, including stone veneer, concrete masonry units and fiber cement board. Ground floor decorative elements include the double-column wood and stone posts at the front porch and in front of the garage window grills. A workshop occupies the ground floor and is provided with a residential window similar to the ones used on the residential units above (see Fig. 3 below). The elevator and stair tower at the northeast corner of the building is the tallest element along Sunset Way. While elevator shafts are exempted from compliance to the building height limit per IMC 18.07.060.B.4, this criteria still requires that the building is designed to a pedestrian scale. The proposed treatment shows varied materials and textures to break up the height of the tower. Large windows also engage the pedestrian. The dark paint color proposed on the top 2 floors creates a perception of bulk and height. Additional small adjustments to the application of color and architectural details can help reduce the bulk and height of the tower (see condition of approval in the Conclusion).

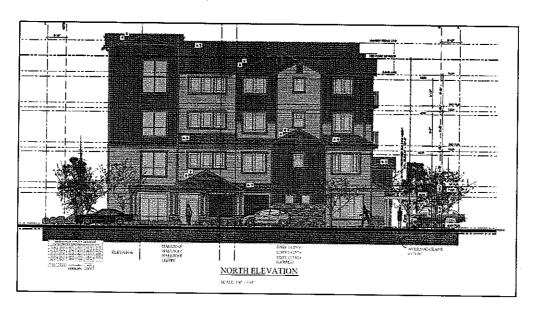


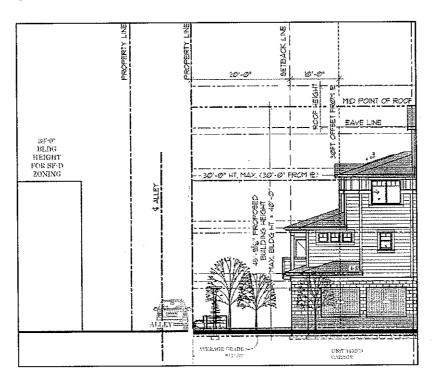
Fig. 3. Pedestrian-scale Treatment of Elevation visible from Sunset Way

- d. Approved street trees are incorporated into the landscape design for the project; <u>Staff Analysis</u>: Street trees, at 30 feet on-center, are shown on the back side of the sidewalk. The location of the street trees is consistent with the intended design of Sunset Way right-of-way.
- e. Highly reflective glass shall not exceed seventy (70) percent of the length of the first floor adjacent to pedestrian way;

Staff Analysis: No reflective glass is proposed.

f. Solid walls on the first floors of buildings shall not exceed twenty (20) feet in length and shall be softened by a combination of design details, modulation and dense landscaping; and

<u>Staff Analysis:</u> There are no blank walls on the first floor of the street façade that is greater than 20 feet (See elevations on sheets A4.1 and A4.2). The only blank wall is the exterior of the elevator shaft, which is approximately 8 feet wide. East and West elevations have a combination of decorative grillwork for garage openings and trees to mitigate the view of the garage walls from neighboring properties. The emergency stair wall at the west elevation is less than 20 feet. Furthermore, a 6-foot high wood fence is proposed to be erected on the east and west property lines to provide privacy for the adjoining residential neighbors. The south elevation, facing the alley, has no blank walls.



g. When the building is adjacent to a lower density residential zone, the maximum building height for the first thirty (30) feet from the property line shall be the maximum base building height of the adjoining lower density zone.

<u>Staff Analysis</u>: The properties across the alley from the project site is zoned at the lower density of SF-D, Single-Family Duplex. The maximum height allowed for the SF-D zoning district is 30 feet. The height of the portion of the building within 30 feet of the rear property line is within the base height limit of 30 feet.

2. Consistency with the Shoreline Management Program: If located within a Shoreline Management District, the height shall not exceed the limitations of the Shoreline Management Program.

Staff Analysis: Not applicable.

3. Sun and Shadow Analysis: Shadows created by the additional building height and bulk will not adversely affect the surrounding area. The Planning Director/Manager may require a sun/shadow analysis in order to determine if this criterion is met.

Staff Analysis: A Sun and Shadow Analysis (Attachment E) shows the building casting the longest shadow at 5 p.m. on the adjacent property to the east. The side yard and the front yard of the property to the east will be in the shadows. At 3 p.m., only the side yard and a portion of the front yard will be in the shadows. No shadows are cast on the properties across the alley located on the south. The west elevation is amply modulated vertically and horizontally, so that the upper floors step back further. The result is a shorter shadow cast on the west neighboring property. The Sun and Shadow Analysis compares the amount of area in the shadows under 2 scenarios: if the building is built within the 40-foot base height and as proposed, with the increased height of 6 feet 10 inches. The shadow analysis shows that the difference in area that will be shaded due to the increase in building height does not have any adverse impact because the additional shaded area is cast on the roof of the neighboring properties.

4. Views: The taller structure will not significantly obstruct scenic corridors. The Planning Director/Manager may require a view analysis study in order to determine if this criteria is met.

<u>Staff Analysis</u>: There are no scenic corridors associated with this property; however, significant views of the hillsides from the properties across Sunset Way may be blocked by the building. However, even if the building stayed within the base height of 40 feet, it would have blocked the view of the mountains from Sunset Way nonetheless and the additional increase in height of 5 feet 10 inches is not a significant deviation from what is allowed by the zoning and development standards.

#### CONCLUSION:

Based on the Applicant's project narrative, the site plan, building elevations, sun and shadow analysis, public comments, and the criteria set forth in IMC 18.07.355 (A), the Director of Development Services Department has determined that the proposed multi-family development

at 355 E. Sunset Way associated with SDP16-00004, Sunset 7 Apartments, complies with the criteria for granting the Administrative Adjustment of Height Standards to allow the increase in the maximum height of the building, from the base height of 40 feet to 46 feet 10 inches.

Therefore, the Director is approving the Administrative Adjustment of Height Standards with one condition:

The exterior design of the elevator and stair tower shall be further refined to architecturally integrate with the rest of the structure and reinforce the pedestrian-scale elements of the building.

#### TIME LIMIT OF DECISION:

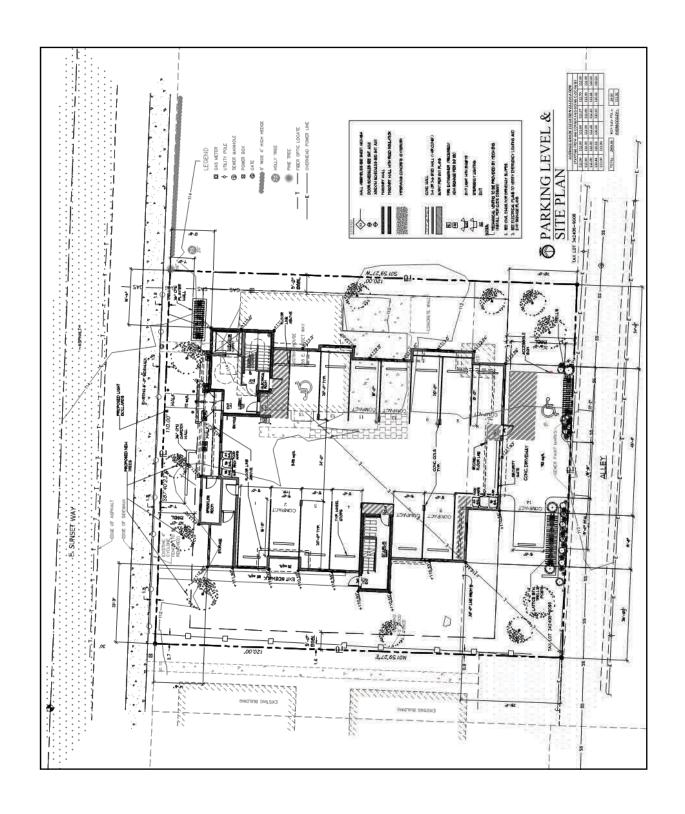
The final decision approving the Administrative Adjustment of Height Standards for Sunset 7 Apartments, at 355 E. Sunset Way, is valid for three years as specified by IMC 18.04.220.D.1, or as amended by the Land Use Code.

Amy Tarce, AICP, Senior Planner

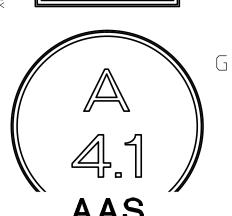
## Attachment A VICINITY MAP COM15-00003 355 E. SUNSET WAY APARTMENTS



# 355 E. SUNSET WAY APARTMENTS **Conceptual Site Plan Attachment B** COM15-00003









#### ATTACHMENT C, AAS16-00008 Notice of Decision

#### ADMINISTRATIVE ADJUSTMENT OF STANDARDS NARRATIVE

Current design for Sunset 7 Apartments as proposed will require an administrative adjustment of standards for height to allow an increase of 5'-10" +/to the overall height. As proposed the current conceptual design of project will meeting the design criteria for Administrative Adjustment Standards by:

#### 1. Building Design

- A. The adjustment of height will enhance the architectural design by:
- Allowing greater modulations of roof of varying heights and roof pitches.

The northeast corner of the property although not limited by any height restrictions due to it exemption for building height per 18.07.060.4 g&h contains a tower element that houses the elevator shaft and stair well to the project. Per feedback from both the City and public this tower element has been reduced to the minimum requirement per elevator car overhead clearance requirements but still gives the proposed design a marking gateway reference to the neighboring community in line with the Olde Town Design Standard.

2. Use of varied exterior materials.

As proposed the project will consist of multiple siding textures and colors, manufactured or cultured stone as well as metal accent griding to the parking structure ventilation openings. These materials will enhance the overall architectural design.

B. The gross floor area for each story above the base height is reduced by twenty five percent (25%) of the gross area of the story beneath it.

The current Design proposed gives the front of the building a more dominant four stories (North Elevation) fronting E. Sunset Way which fits into current neighborhood project built within the last decades while at the rear of the building the height of the building is reduced to two (2) and three (3) stories located off of the alley. By stepping the building in this manor the design of the fourth story which is over the maximum 40'-0" building height for the zoning is required to be reduced 25% from the story below it or third floor. As proposed our design abides by this requirement.

C. Design features, such as transparent windows and doors, artwork, fountains, street furniture, varied exterior materials, and or landscape elements or plazas are used to give the ground floor of the building a pedestrian scale.

As proposed the project has lessened the dominance of the concrete parking structure at front elevation/ entry by providing a more residential wood framed structure with large store front windows and abundant transparent windows and doors. With a combination of landscaping and variety of exterior materials and textures the ground floor of the proposed building will provide that pedestrian scale and character.

D. Approved street trees are incorporated into the landscaping design for the project.

The project does incorporate the use of street trees into its landscape design.

E. Highly reflective glass shall not exceed seventy (70) percent of the length of the first floor adjacent to pedestrian way.

No Highly reflective glass is currently proposed for the design unless required by energy code requirements.

F. Solid walls on the first floor of the building shall not exceed twenty (20) feet in length and shall be softened by a combination of design details, modulation and dense landscaping.

The proposed project has been modulated around three sides of the building to meet this requirement. The alley side of the structure could not be modulated due to the requirements of a large rollup door for cars entering garage structure from the alley and the pedestrian door but the excess wall length will be softened by landscaping. This section of the building is located at the rear of the building and therefore will not be as public as the front of the building off of E. Sunset Way.

G. When the building is adjacent to a lower density residential zone the maximum base building height for the first thirty (30) feet from the property line shall be the maximum base building height of the adjoining lower density.

Due to the proposed building location it is situated in a proximity to a SF-D zoning at the rear of building off the alley (South Elevation).

Therefore the proposed building concept has provided a 2 story rear facade within this thirty foot horizontal measurement from property line and the proposed design's height falls below the required thirty foot building height maximum set forth in the Single Family Duplex Zoning.

2. Consistency with Shoreline Management Program:

#### N/A

3. Sun Shadow Analysis: Shadows created by the additional building height and bulk will not adversely affect the surrounding area.

A sun shadow analyses has been provided to show that the overall height increase of 5'-10" will not pose any effect on surrounding properties. The buildings bulk and scale as proposed will have no increased effect on the properties on either side of the property to the east and west. The stepped back design at south end of the property off the alley shows no shadow concerns to the single family duplex zoning located behind the project.

#### SUNSET 7 APARTMENTS

PROJECT ADDRESS: 355 E. SUNSET WAY

ISSAQUAH, WASHINGTON

CLIENT: THICK BRICK, LLC 19538 SE 51ST STREET 1964QUAH , WA 98027

1804 136th Place NE Ste. 1, Bellevue,

CONTACT: D.J. LOVERIDGE

### ADMIN ADJUSTMENT OF STANDARDS HEIGHT ADJUSTMENT NARRATIVE

3/22/2016
REVISION DATE

SCALE:

JOB \* X\1422\_12 IBC\_MF-ISSAQUAH\ISSAQUAH APARTMENTS\SHEETS\SITE
DEVELOPMENT PERMIT SUBMISSION\1.1 COVER SHEET

WA 98005 PH (425) 644-1446 Fax 644-1921

E-mail· OFFICE GMSARCH.COM Architecture ◆ Design ◆ Planning ◆ Members of A.I.A.



From: Bill Ramos <bramosbramos@hotmail.com>

**Sent:** Tuesday, April 26, 2016 6:26 PM

To: Amy Tarce

**Cc:** Dave Favour; Lucy Sloman; Christopher Wright; Keith Niven

**Subject:** RE: Sunset 7 apartments height adjustment

Just to be clear. These comments were submitted as a personal note from Bill Ramos as someone in the 300-foot radius of the project.

I am not sending anything here from a council member position.

Thanks Bill

**From:** Amy Tarce [mailto:AmyT@issaquahwa.gov]

Sent: Tuesday, April 26, 2016 12:41 PM

To: 'bramosbramos@hotmail.com' < bramosbramos@hotmail.com >

Cc: Dave Favour <DaveF@issaquahwa.gov>; Lucy Sloman <LucyS@issaquahwa.gov>; Christopher Wright

<ChrisW@issaquahwa.gov>; Keith Niven <KeithN@issaquahwa.gov>

Subject: RE: Sunset 7 apartments height adjustment

#### Councilman Ramos,

Thank you for submitting your comments for the application, AAS16-00008, Administrative Adjustment of Height Standards for the proposed multi-family project at 355 E. Sunset Way.

I forwarded your comments to the Applicant. We will also include you in the Parties of Record so you will receive the Notice of Decision for this application.

Amy Tarce, AICP Senior Planner City of Issaquah 425.837.3097 direct

**From:** Bill Ramos [mailto:bramosbramos@hotmail.com]

**Sent:** Monday, April 25, 2016 2:57 PM

**To:** Amy Tarce

**Subject:** Sunset 7 apartments height adjustment

#### Amy,

Thank you for notifying my about the request for height adjustment standards.

I do not wish for any adjustment to be made.

There are 3 other building very similar to this one in the vicinity and they had to meet the standards, which are there for a reason.

They make an excuse that it is needed for an elevator, well the others all have elevators.

So do not grant this variance.

Thank you

Bill

#### Bill Ramos

The Common Good LLC 425-208-5882 385 SE Andrews St. From: Amy Tarce

**Sent:** Monday, April 25, 2016 4:09 PM

**To:** 'gailee1127@yahoo.com'

**Cc:** Christopher Wright; Lucy Sloman

**Subject:** RE: Sunset 7 Apts

Ms. Givan,

I just want to provide a correction to my comments below. I found out the two other multi-family buildings along Sunset Way did not avail of an Administrative Adjustment of Standards, because the definition of building height used at the time they were reviewed were less restrictive.

Amy Tarce, AICP, Assoc. AIA Senior Planner City of Issaquah 425.837.3097 direct

From: Amy Tarce

**Sent:** Monday, April 25, 2016 1:47 PM

To: 'gailee1127@yahoo.com'

Cc: Christopher Wright; Lucy Sloman

**Subject:** RE: Sunset 7 Apts

Ms. Givan,

Thank you for submitting your concerns about the proposed 7-unit apartment building on Sunset Way.

As you may have heard during my presentation to the Development Commission, the request is for an Administrative Adjustment of Standards, not a variance. The Land Use Code provides flexibility in the height of buildings along Sunset Way, as long as it meets the criteria provided in IMC18.07.355. The zoning designation for this property, MF-H, Multi-family High Density, is consistent with the rest of the properties along Sunset Way, and the proposed height is consistent with the newer multi-family developments along Sunset Way, including 275 E. Sunset Way, which is approximately 175 feet west of the project site, and 485 Sunset Way, which is a block east of the project site. Both these project were approved using the same Administrative Adjustment of Standards (AAS) criteria that we will use for reviewing this project. Please note that you and your neighbors have a lower density zoning, SF-D, Single-family Duplex. As a way to transition from the higher density development along Sunset Way and the single-family zoning across the alley, the Land Use Code requires the building to be set back above the 2<sup>nd</sup> floor, along the building face closest to the SF-D zoned properties.

The AAS Notice of Decision is scheduled to be issued tomorrow. There is a 14-day appeal period after the Notice of Decision is issued.

As for your concerns about speeding and parking issues in the alley, we will take this in consideration during the Site Development Permit (SDP) review of the project. Your concerns about the vehicular issues in the alley are valid and I will forward them to our traffic engineer, who can provide further guidance as to how to best address the speeding and cut-through traffic issues.

I will add you as a party of record for both the AAS and the SDP. You will receive the Notice of Decision for the AAS, as well as a separate notice of application and notice of public hearing for the SDP, at which time we will review the entire project, including site access, parking, building design and landscaping, and we will present our recommendations to the Development Commission at the public hearing.

Thank you again for your concerns.

Amy Tarce, AICP, Assoc. AIA Senior Planner City of Issaquah 425.837.3097 direct

**From:** Gail Givan [mailto:gailee1127@yahoo.com]

**Sent:** Sunday, April 24, 2016 9:37 AM

**To:** Amy Tarce

**Subject:** Sunset 7 Apts

Amy,

Good afternoon! I live at 360 SE Andrews Street, across the alley behind the location of the planned Sunset 7 apartments in a one-story cottage (not a two-story duplex). My neighbors on either side also live in small houses.

I attended a recent city council meeting and voiced my concern regarding the request for a height variance. I am strongly opposed to the variance, since it will set a precedent for future projects which will inevitably line Sunset Way. Why set a limit if it can be surpassed?

I am also worried about the additional traffic in the alley, as more of these projects are added. Could speed bumps be used to ensure vehicles maintain slow speeds? Drivers already race through there when they cut through to avoid traffic on Sunset. There are often children riding bikes or walking there. Since there is no provision for guest parking and only one space per apartment, will law enforcement ensure that visitors to the apartments will not park in the alley, blocking fire truck access? Of course not. They don't ensure that drivers do not cut though on 6th, 5th, or 4th Streets onto Andrews between 3:00 and 7:00, as is posted. Drivers who cut through at 6th can easily be reaching 50 mph before they reach 2nd, where they turn left and head out to Issaquah-Hobart. I watch car after car come through. Often, I recognize people who have made our street their regular speeding short cut.

When will a decision be made about the variance and other concerns that the council and citizens expressed? Will there be another meeting?

Thank you for your time.

Sincerely,

Gail Givan



# ATTACHMENT E SUNSET 7 APARTMENTS AAS16-00008 SUNSET 7 APARTMENTS 355 E. SUNSET WAY, ISSAQUAH WA.

SUN AND SHADOW ANALYSIS

SUN STUDY BASED ON -MAY 5





SHAD AND Y

SUN RAG Job # 1422 6-15-16 PER CITY





PROPOSED

SHADOW @ 40'-0" HT.

SHADOW +6'-0"+/-

OVER 40'-0" HT.



3 SUN AND SHADOW @ 1:00 PM SCALE: NTS

5 SUN AND SHADOW @ 5:00 PM
SCALE: NTS

1 SUN AND SHADOW @ 9:00 AM
SCALE: NTS

PROPOSED SHADOW +6'-0"+/- OVER 40'-0" HT.

SHADOW @ 40'-0" HT.

2 SUN AND SHADOW @ 11:00 AM SCALE: NTS